



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

DIRECTOR'S ORDER NO. 125

Subject: Wilderness Review and Evaluation

Sec. 1 What is the purpose of this Order? This Order establishes policy for conducting wilderness reviews and managing Wilderness Study Areas (WSAs). It also establishes deadlines (Section 14) for conducting wilderness reviews. This Order supersedes those portions of 6 RM 8 (Wilderness Area Management) concerning the conduct of wilderness reviews and the management of WSAs.

Sec. 2 To whom does this Order apply? This policy applies to all employees involved in conducting wilderness reviews and managing WSAs.

Sec. 3 What are the authorities for establishing and managing WSAs?

- a. Wilderness Act of 1964 (16 U.S.C. 1131-1136).
- b. Alaska National Interest Lands Conservation Act (ANILCA) of 1980 (16 U.S.C. 3101).
- c. Title 50, Code of Federal Regulations, Part 35; 43 U.S.C. 1201.
- d. Clean Air Act Amendments of 1990 (Pub. L. 101-549).
- e. Specific national wildlife refuge wilderness area authorities include Public Laws 90-532, 91-504, 92-364, 93-429, 93-550, 93-632, 94-557, 95-450, 96-487, 96-560, 97-211, 98-140, and 101-628.
- f. National Wildlife Refuge System Administration Act of 1966, as amended (16 U.S.C. 668dd-668ee).

Sec. 4 Who is responsible for the Wilderness Program?

- a. The Chief, National Wildlife Refuge System is responsible for:
 - (1) Coordinating congressional review of areas that we recommend for wilderness designation.
 - (2) Coordinating with other wilderness management agencies (Bureau of Land Management, National Park Service, and Forest Service) and developing WSA management policy.

(3) Coordinating with other agencies and preparing the President's annual report to Congress on the status of the National Wilderness Preservation System.

b. Regional Directors are responsible for:

(1) Conducting routine reviews of National Wildlife Refuge System (NWRS) lands and coordinating the nomination of refuge lands for inclusion in the Wilderness System.

(2) Designating a wilderness coordinator to serve as liaison between the Regional Director and refuge managers.

(3) Providing annual information to the Chief, National Wildlife Refuge System sufficient for the preparation of the annual report to Congress.

c. Refuge Managers will:

(1) Prepare the unit's Wilderness Management Plan.

(2) Conduct wilderness reviews and manage, protect, and monitor WSAs in accordance with our policy and the unit's Wilderness Management Plan.

(3) Provide annual information to the Regional Office on the status of ongoing inventories and research initiatives used to monitor WSAs.

Sec. 5 What is a WSA? An area that:

a. We create following the inventory component of a wilderness review and that we are considering recommending to Congress for wilderness designation.

b. We have recommended to Congress for wilderness designation.

c. Congress is considering for wilderness designation.

Sec. 6 What is the general policy for managing WSAs? Take no action that will diminish the wilderness character of a WSA until Congress designates it as wilderness or we decide not to recommend it for wilderness designation. Plan and carry out WSA management activities to conform with the Wilderness Act's purpose of securing "an enduring resource of wilderness" for the American people. Manage a WSA as a part of the entire NWRS in compliance with the Wilderness Act and, in Alaska, with ANILCA. Refuge uses must be compatible with the purposes of the refuge, the Refuge System mission, and the Wilderness Act. Preserve the interaction of natural processes with the land using the minimum tools necessary to safely accomplish our mission. Section 1317(c) of ANILCA provides that designation of a WSA in Alaska, or the possibility that we may designate the lands in question as wilderness in the future, does not affect our normal administration of

refuge areas. Management direction prescribed in the current Comprehensive Conservation Plan (CCP) for the refuge will guide management of these areas.

Sec. 7 What are management objectives for WSAs? As stated in the Wilderness Act, the purposes of the Act are within and supplemental to the purposes of the lands we administer. Therefore, we will:

- a. Fulfill both the establishing purposes of the NWRS and the purposes of the Wilderness Act.
- b. Maintain and perpetuate an enduring resource of wilderness for future use and enjoyment as wilderness.
- c. Maintain WSAs in a condition that appears to have been primarily affected by the forces of nature, with the impact of man's work substantially unnoticeable;
- d. Protect and perpetuate wilderness character and public values including, but not limited to, opportunities for scientific study, education, historical use, solitude, physical and mental challenge and stimulation, inspiration, and primitive recreation.
- e. Gather information and carry out research, in a manner compatible with preserving the wilderness environment, to increase understanding of wilderness ecology, wilderness uses, management opportunities, and visitor behavior, use patterns, and expectations.

Sec. 8 What is a wilderness review? A wilderness review is the process we use to determine whether or not we should recommend NWRS lands and waters to Congress for wilderness designation. We identify lands and waters that meet the minimum criteria for wilderness, and then further evaluate the resulting WSAs to determine if they merit recommendation from the Service to the Secretary for inclusion in the Wilderness System. The wilderness review process has three phases: inventory, study, and recommendation.

Sec. 9 When should I conduct a wilderness review? Conduct wilderness reviews as part of the CCP process (see Part 602 of the Fish and Wildlife Service Manual), although you may conduct them at any time. For instance, if a refuge acquires significant new acreage, a wilderness review would be appropriate. In addition, Congress may direct the study of specific areas and provide other guidance on wilderness evaluations through legislation. Review lands for wilderness suitability consistent with provisions of the Wilderness Act, National Environmental Policy Act, National Historic Preservation Act, and other applicable legislation.

Sec. 10 How do wilderness reviews relate to acquisition planning? When you inventory lands and resources of the proposed unit and identify management problems, needs, and opportunities during acquisition planning, also include a preliminary inventory of the wilderness resource of the proposed unit in the land acquisition planning process. Discuss potentially suitable areas in the Land Protection Plan and associated NEPA document.

Sec. 11 Can I conduct a wilderness review outside of the CCP or acquisition planning processes? Yes. You may conduct a wilderness suitability review:

- a. At any time before or after you develop a CCP.
- b. If additional information becomes available.
- c. If we acquire additional lands.
- d. If restoration activities significantly modify NWRS lands,

Sec. 12 What is the purpose of a wilderness inventory? Inventory NWRS lands and waters to identify areas that meet the definition of wilderness, as defined in the Wilderness Act, in accordance with the criteria below. Upon completion of the inventory, classify as WSA's all lands that meet the criteria.

Sec. 13 What are the criteria for wilderness? The area must:

- a. Be affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable.
- b. Have outstanding opportunities for solitude or a primitive and unconfined type of recreation.
- c. Have at least 5,000 contiguous acres (2,000 ha) or be sufficient in size as to make practicable its preservation and use in an unimpaired condition, or we could restore the wilderness character through appropriate management, at the time of review.
- d. Not substantially exhibit the effects of logging, farming, grazing, or other extensive development or alteration of the landscape, or we could restore the wilderness character through appropriate management, at the time of review.
- e. Be a roadless island.

Sec. 14 What is the deadline for conducting wilderness inventories? By June 30, 2001, identify all areas that meet the definition of wilderness for refuges that:

- a. Have never had a formal wilderness review.
- b. Have added significant acreage since the last formal wilderness review.

Sec. 15 Why should I conduct a wilderness study? Study each WSA through the CCP process to analyze all values (ecological, recreational, cultural, spiritual), resources (wildlife, water, vegetation, minerals, soils), and uses (management and public) within the area. The

findings of the study determine whether or not we will recommend the area for designation as wilderness. Evaluate lands and waters possessing the characteristics and values of wilderness for recommendation as defined in the Wilderness Act.

Sec. 16 What lands should I consider for wilderness? Congress did not intend to limit wilderness designation to only those areas judged pristine. Congress acknowledged that in a country with extensive development, pristine would be an impossible standard to meet. Therefore, consider land:

a. Whose minimum size is at least 5,000 contiguous acres (2,000 ha), or of sufficient size to make practicable its preservation; e.g., an area contiguous with a designated or recommended wilderness, or other undeveloped area of Service-administered land, or land administered by another Federal agency, or any roadless island (i.e., island surrounded by water).

b. Logged, farmed, grazed, or otherwise used in ways not involving extensive development or alteration of the landscape, or, if at the time of review the effects of these activities are substantially unnoticeable and we could restore their wilderness character through appropriate management.

c. With established or proposed management practices that require the use of structures, motorized equipment, or motorized or mechanized transport, that are necessary for the health and safety of visitors or protection of the wilderness resource.

d. With prior rights or privileges such as grazing or limited commercial services, provided the operations do not involve the routine use of motorized equipment or motorized or mechanized transport, and do not involve development to the extent that the human imprint is substantially noticeable. In Alaska, we allow routine use of motorized transport including motorboats, airplanes, and snow machines to support these operations in wilderness areas; therefore, this should not preclude these lands from recommendation for wilderness designation for that sole reason.

e. Subject to mineral exploration and development (surface and sub-surface), including oil and gas, only if it is likely that we will relinquish, acquire, exchange, or otherwise eliminate the mineral rights in the foreseeable future;

f. Containing unimproved roads, structures, installations, or utility lines, if we can remove them upon the area's designation as wilderness, or if their retention is consistent with wilderness, such as historic structures or facilities needed for protection of wilderness resources. We may include areas containing underground utility lines if they otherwise qualify as wilderness, and maintenance of the utility lines does not require the routine use of motorized or mechanized equipment.

g. Used for research, unless the research requires permanent structures or facilities not needed for wilderness management.

Sec. 17 What should I do if the area does not qualify as wilderness or as a WSA? If you determine during the inventory that no areas qualify as WSAs or if you conclude from the study that we should not recommend any areas as wilderness, prepare a brief report that documents the unsuitability of the lands and waters for wilderness study or recommendation. Submit the report through your management channels to the Director.

Sec. 18 What needs to be done if areas qualify for wilderness recommendation? If you conclude from the study that we should recommend some areas as wilderness, you must:

- a. Give public notice of the wilderness proposal.
- b. Hold a public hearing.
- c. Advise the Governor of the State, the governing board of each county or borough, and Federal departments and agencies concerned of our intent to invite comment, as required by the Wilderness Act.

Sec. 19 Who recommends wilderness? The Regional Director must notify the Director of the Region's tentative wilderness suitability recommendations of WSAs. The Director will review the preliminary wilderness recommendation and supporting documentation and make the final Service recommendation to the Secretary.

Sec. 20 Can the recommendation incorporate lands that have potential to become wilderness? If your wilderness review identifies lands surrounded by or adjacent to lands recommended for wilderness designation, but that do not themselves qualify for immediate designation due to temporary nonconforming conditions, you may include them in your wilderness recommendation as potential wilderness. Your legislative proposal may recommend these lands for future inclusion in wilderness when the nonconforming conditions no longer exist. If authorized by Congress, the Secretary will designate these as potential wilderness areas with a determination published in the Federal Register that they meet the designation qualifications.

Sec. 21 What documentation do I submit?

- a. A wilderness study report (see Section 22) that presents the results of the review and a wilderness recommendation. The study report will draw from several elements of the review process, including the CCP, the Environmental Impact Statement, and the results of public participation.
- b. A draft memorandum from the Director to the Secretary.
- c. A draft letter from the Secretary to the President.
- d. A draft letter from the President to the House and Senate.

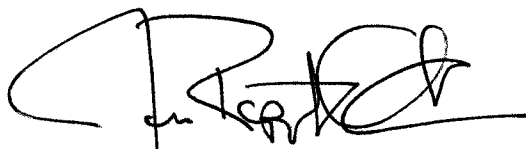
- e. Draft legislative language.
- f. A copy of the unit's CCP and final EIS.

Sec. 22 What should I include in the Wilderness Study Report? The study report will contain the following information:

- a. Regional Director's wilderness recommendation and rationale.
- b. Documentation of the evaluation.
- c. Evidence of public notice of the proposal, including publication in the Federal Register, and notices in local newspapers.
- d. Evidence that you notified the Governor and other concerned officials at least 30 days before public hearings.
- e. Summary and analysis of comments received plus the public hearing record.
- f. Evidence of direct notification and request for comments from the State Historic Preservation Officer regarding the presence or absence of significant cultural resources.
- g. Map of the area.
- h. Legal description of the area.
- i. EIS.

Sec. 23 Who designates wilderness? The President may recommend designation of wilderness areas, but Congress reserves the authority to make final decisions on wilderness designations.

Sec. 24 What is the effective date of this Order? This Order is effective immediately. It will expire on June 30, 2001, unless amended, superseded, or revoked. We will include the provisions of this Order in Part 610 of the Fish and Wildlife Service Manual.



DIRECTOR

Date: July 12, 2000